

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

EMMANUEL CORNET, JUSTINE DE  
CAIRES, GRAE KINDEL, ALEXIS  
CAMACHO, and JESSICA PAN,  
EMILY KIM, MIGUEL ANDRES  
BARRETO, and BRETT MENZIES  
FOLKINS,

Plaintiffs,

v.

TWITTER, INC.,

Defendant.

C.A. No. 23-cv-441-CFC

**DEFENDANT’S MOTION TO DISMISS COUNTS I, II, AND III OF  
PLAINTIFFS’ SECOND AMENDED COMPLAINT OR, IN THE  
ALTERNATIVE, STRIKE PLAINTIFFS’ CLASS ALLEGATIONS**

Defendant Twitter, Inc., by and through undersigned counsel, moves the Court to (i) dismiss with prejudice Counts I, II, and III of Plaintiffs’ Second Amended Complaint pursuant to Rules 12(b)(1) and (b)(6) of the Federal Rules of Civil Procedure for lack of standing and failure to state a claim, or alternatively, (ii) strike the class allegations in paragraph 7 and sub-section (f) of the final unnumbered paragraph of Plaintiffs’ Second Amended Complaint under Rule 12(f) of the Federal Rules of Civil Procedure.

The grounds for this motion are set forth in Defendant’s opening brief accompanying this Motion.

Dated: May 17, 2023

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